



# California Regional Water Quality Control Board

## San Diego Region

**Winston H. Hickox**  
Secretary for  
Environmental  
Protection

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### NOTICE OF PUBLIC HEARING AND NOTICE OF FILING

#### CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD SAN DIEGO REGION

#### BASIN PLAN AMENDMENT

#### AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE SAN DIEGO REGION (BASIN PLAN) TO INCORPORATE A TOTAL MAXIMUM DAILY LOAD (TMDL) FOR DIAZINON IN THE CHOLLAS CREEK WATERSHED, SAN DIEGO COUNTY

Wednesday, June 12, 2002; 9:00 A.M.

Hearing Room  
California Regional Water Quality Control Board, San Diego Region  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123-4340

#### SUBJECT OF PUBLIC HEARING AND NOTICE OF FILING

This public notice is to inform interested persons that the California Regional Water Quality Control Board, San Diego Region (Regional Board) will conduct a public hearing concerning a proposed amendment to the *Water Quality Control Plan for the San Diego Region (9)* (Basin Plan).

#### REGULATORY BASIS FOR ACTION

California Water Code Section 13240 authorizes the Regional Board to revise the Basin Plan as needed. These revisions must be in accordance with the notice and hearing requirements of California Water Code Section 13244, 23 California Code of Regulations 3777 and 40 CFR 25.5.

#### CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The Regional Board is the California Environmental Quality Act (CEQA) Lead Agency for this project. The basin planning process is certified by the Secretary for Resources as being exempt from the CEQA requirement for preparation of an Environmental Impact Report (EIR) or negative declaration and initial study

pursuant to Section 21080.5 of the Public Resources Code. Based upon this certification, the Basin Plan amendment, as well as the staff report, environmental checklist, and backup materials, serve as a "functional equivalent" to an EIR, negative declaration and initial study.

#### AVAILABILITY OF DOCUMENT

The proposed Basin Plan amendment and related documents will be available at the Regional Board office, at the above address, no later than April 26, 2002 on weekdays during business hours. These documents can also be accessed through the Internet at the Regional Board website <[www.swrcb.ca.gov/rwqcb9](http://www.swrcb.ca.gov/rwqcb9)>.

#### KEY ISSUES

Diazinon is a widely used organophosphate insecticide that is a common pollutant in urban storm water runoff and dry weather flows. Storm water in the Chollas Creek watershed of San Diego County, a tributary of San Diego Bay, does not meet the Basin Plan water quality objective for toxicity. Since the toxicity in the storm water was determined by a Toxicity Identification Evaluation (TIE) to be caused by the insecticide diazinon, the Basin Plan water quality objective for pesticides is not being met in the Chollas Creek watershed.

#### *California Environmental Protection Agency*

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>.*

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The “warm freshwater habitat” (WARM) and “wildlife habitat” (WILD) beneficial uses of Chollas Creek are adversely affected by toxicity caused by diazinon.

This proposed Basin Plan amendment would incorporate a Total Maximum Daily Load (TMDL) for diazinon within the Chollas Creek watershed into Chapter 4 (Implementation) of the Basin Plan.

The purpose of a TMDL is to attain applicable water quality objectives and restore beneficial uses of impaired surface waters. The purpose of this TMDL is to reduce diazinon concentrations in the Chollas Creek watershed to attain the water quality objectives for toxicity and pesticides and restore the WARM and WILD beneficial uses. Since there are no applicable numeric water quality objectives for toxicity or diazinon, this TMDL is based on numeric targets for diazinon that are expected to result in attainment of the narrative water quality objectives for toxicity and pesticides. The numeric targets are equivalent to the Department of Fish and Game freshwater Water Quality Criterion (WQC) for protection of freshwater aquatic organisms from diazinon. Meeting these numeric targets is also expected to result in protection (from diazinon) of the WARM and WILD beneficial uses of Chollas Creek.

## **PUBLIC WORKSHOP**

The Regional Board plans to conduct a public workshop on this proposed Basin Plan amendment. Should you be interested in attending this workshop, please contact the persons noted below.

## **WRITTEN COMMENTS**

The submittal of written comments on the proposed Basin Plan amendment is encouraged. The Regional Board will prepare written responses to all comments received prior to [May 28, 2002](#). Written comments should be submitted to: Ms. Linda Pardy, California Regional Water Quality Control Board, San Diego Region, 9174 Sky Park Court, Suite 100, San Diego, CA 92123-4340.

## **HEARING PROCEDURES**

At the public hearing, the Regional Board will accept comments and testimony relevant to this proposed Basin Plan amendment both orally and

in writing. Time limitations on oral presentations may be imposed. Oral testimony should be summarized to the degree possible. Groups are encouraged to designate a spokesperson. All exhibits, including charts, graphs, and other material presented as evidence must be left with the Regional Board because they become part of the administrative record.

Modifications to the proposed Basin Plan amendment, consistent with the general purpose and complimentary to the amendment, are under consideration or may be developed at the hearing as a logical outgrowth of the testimony. Accordingly changes to the proposed Basin Plan amendment may be made at the Public Hearing. At the conclusion of the Public Hearing, the Regional Board will consider adoption of the Basin Plan amendment.

## **INFORMATION REGARDING PUBLIC HEARING**

Parking is available at the hearing location. The hearing room facilities are accessible to persons with disabilities. Individuals who require special accommodations are requested to contact Ms. Lori Costa at (858) 467-2357 at least 5 working days prior to June 12, 2002. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Questions concerning this notice may be directed to either Linda Pardy, Environmental Scientist, Water Quality Standards Unit, at (858) 627-3932, email at [pardl@rb9.swrcb.ca.gov](mailto:pardl@rb9.swrcb.ca.gov) or Jimmy Smith, Environmental Scientist, Water Quality Standards Unit, at (858) 467-2732, email at [smitj@rb9.swrcb.ca.gov](mailto:smitj@rb9.swrcb.ca.gov)

Thank you for your interest in the Basin Plan and the protection of water quality.

John Robertus  
Executive Officer  
April 19, 2002